

# Tamils arrested in Australia under Howard's draconian "anti-terrorism" laws

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In a series of federal and state police raids in Sydney and Melbourne, two prominent members of Australia's Tamil community were arrested on May 1 on "terrorism" charges, with the police publicly declaring that more arrests were likely to follow.

The operation follows a wave of similar arrests in the United States and France of alleged supporters of the separatist Liberation Tigers of Tamil Eelam (LTTE) in Sri Lanka. Last year President Mahinda Rajapakse plunged the country back into civil war by ordering military offensives against the LTTE in flagrant violation of a 2002 ceasefire. Led by Washington, which has tacitly backed Rajapakse, the Western powers are now seeking to cripple the LTTE's support network among Tamils living in exile.

Aruran Vinayagamoorthy, 32, a former Tamil newspaper editor, and Sivarajah Yathavan, 36, each face three charges of being members of, funding and providing support to a "terrorist organisation," even though the LTTE has not been listed in Australia as a terrorist group. They could be jailed for lengthy periods—two of the charges carry 25-year maximum jail terms, and the other 10 years. In the meantime, they could languish in prison for many months awaiting trial.

The two men became the first non-Muslims to be rounded up under the Howard government's "anti-terrorism" laws. Their arrests demonstrate how the legislation can be used not only to victimise and demonise the Islamic community but also to criminalise anyone regarded by the Australian government as politically dangerous.

Police officers refused to provide details of the allegations against the two men, but admitted there was no evidence of any terrorist activity or planning in Australia. Instead, they accused the pair of raising money for relief projects, including for victims of the 2004 tsunami, with the knowledge that some funds were going to the LTTE, which controls parts of the tsunami-affected north and east.

The prosecution will rely on sweeping definitions of "terrorist act" and "terrorist organisation" in the legislation that has been passed since 2002. Anyone can be convicted

for donating to, or supporting, an overseas political group alleged to be attempting to "intimidate" or "coerce" a government, including by threatening to damage or disrupt infrastructure. These provisions apply even if the group has not been officially declared "terrorist" or is also involved in humanitarian projects.

Under these vague definitions, people could have been previously jailed as terrorists for giving money to the anti-apartheid movement, Irish republican causes, or East Timorese independence groups. The laws could currently be used against donors to Hezbollah-run aid projects in south Lebanon, which was devastated by last year's Israeli blitzkrieg. Whether a movement is officially designated "terrorist" or "liberation" depends entirely on the political needs and calculations of the government of the day.

While the LTTE has not been outlawed in Australia, it has been named, together with more than 400 other groups and individuals, by the UN Security Council as "terrorist" for financial purposes. Others listed, mostly at the behest of the Bush administration, include Spanish, Balkan, Peruvian, Irish, Kurdish, Afghan, Iraqi and Palestinian groups. Organisations supporting these groups can have their assets seized and their members jailed.

The latest raids and arrests are part of a two-year operation, jointly conducted by the federal Howard government and the state Labor governments of Victoria and New South Wales. In November 2005, federal and state police and intelligence officers conducted raids on the homes and business premises of scores of Tamils, five of whom were detained for interrogation before being released without charge. Police predicted then that charges would follow, just like raids on Muslims paved the way for the arrest of 18 Muslim men in the same month.

The 2005 raids served two inter-related purposes. The first was to further stoke fears of terrorism in Australia to justify draconian new counter-terrorism measures being pushed through federal and state parliaments. These police-state measures included detention without trial, and expanded sedition and "advocating terrorism" provisions that could be

used to silence criticism of government policy, such as the Australian military interventions in Iraq, Afghanistan and the Asia-Pacific region.

The second purpose was to meet a request by Rajapakse, who had just taken office that month, for an international crackdown on the LTTE. The unstable minority government formed by Rajapakse, previously the prime minister, set about whipping up communalist sentiment against the minority Tamil population as a means of diverting widespread discontent over falling living standards and deepening social inequality.

This month's arrests come amid the Sri Lankan military's escalating military offensives, which have substantially driven the LTTE out of its eastern strongholds. Since Rajapakse took office as president, an estimated 4,000 people have died in the renewed war and some 300,000, mostly Tamils, have been displaced. The LTTE has responded with a series of bus bombings and primitive air attacks, the latest of which took place last week, causing panic throughout Colombo.

Last August, the Bush administration signalled its support for Rajapakse by arresting more than a dozen people on charges of supporting the LTTE. In late April this year, American police arrested another alleged LTTE member for "providing material support to a foreign terrorist organisation". Last month, French police also detained dozens of suspected LTTE supporters, some of whom were later charged with "criminal association with a terrorist enterprise". According to press reports, the French anti-terrorist agency was working with its equivalents in the US, Britain, the Netherlands, Germany, Italy, Canada and Australia.

While the *World Socialist Web Site* is fundamentally opposed to the LTTE's political program of Tamil separatism, the primary responsibility for the civil war, and the loss of nearly 70,000 lives, lies with the Sinhala political establishment in Colombo. It has based itself on anti-Tamil discrimination since independence in 1948 as a means of dividing the working class and rural masses. In 1983, this policy exploded into civil war and successive governments have waged a vicious communal war since then.

Australian Attorney-General Philip Ruddock claimed that the police had acted independently in this week's arrests, without any political pressure or instructions. But Victorian deputy police commissioner Kieran Walshe indicated that the police had acted under political direction, telling a media conference: "We've got to recognise that both the Australian government and the Victorian government have had a commitment to dealing with terrorism."

For its part, the Sri Lankan government swiftly claimed credit, saying it had been working with Australian officials

for months. "We expect there to be more arrests," foreign affairs secretary Palitha Kohona told Australian Broadcasting Corporation radio. "We are also aware that there are other people who are being investigated and we will encourage the Australian authorities to proceed to take action against them as well."

As soon as the Australian raids were announced, Foreign Minister Alexander Downer joined police officials and the mass media in branding the LTTE a terrorist organisation, even though this is now a legal issue in the criminal proceedings against the two men. The police held a media conference to proclaim their guilt. Victorian police chief commissioner Christine Nixon accused the men of duping people by raising money under the banner of the 2004 tsunami relief program. Downer later compounded the prejudice to the men's case, declaring there was "no doubt" that Australian money was funding the LTTE.

In court, defence lawyer Rob Stary objected that the police press conference had contaminated the men's presumption of innocence and said the police refusal to provide details of the alleged offences had made it impossible to make a bail application. Magistrate Clive Alsop declared he was not interested in "political statements".

Once more, unsubstantiated allegations of "terrorism" are being used for outright attacks on basic political, legal and civil rights. These developments highlight the extraordinary scope for Australian governments to use the so-called anti-terrorist laws to exploit the bogus "war on terror" launched by Washington to target anyone considered a threat to Australian domestic or foreign policy.



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